



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

INTELLECTUAL PROPERTY
DEPARTMENT
AMYLIN PHARMACEUTICALS,
INC.
9360 TOWNE CENTRE DRIVE
SAN DIEGO, CA 92121

Appeal No: 2009-002545
Appellant: Orville G. Kolterman, Andrew A. Young
Application et al.
No: 09/756,690
Hearing Room: B
Hearing A
Docket: Thursday, September 17, 2009
Hearing Date: 09:00 AM
Hearing Time: Madison Building - East Wing
Location: 600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

17-Aug-2009

Date

38,898

Registration No.

Names of other visitors expected to accompany counsel: _____

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/wcb/offices/rdcom/counsel/contact.html#bpa_contacts

FACSIMILE TRANSMITTAL

Please respond to:

(858) 309-7497 (Direct Dial)
(858) 552-1936 (Direct Fax)
renee.zavala@amylin.com OR
patents@amylin.com

TO: USPTO – Board of Patent
Appeals and Interferences

FAX: (571) 273-0299

And

United States Patent and
Trademark Office

FAX: (571) 273-8300

DATE: 17-August-2009

FROM: Renee Zavala
Amylin Pharmaceuticals, Inc.
9360 Towne Centre Drive
San Diego, CA 92121

FAX: (858) 552-1936
TEL: (858) 309-7497

DATE: 17-August-2009

TOTAL NUMBER OF PAGES 2
(including this cover sheet)

MESSAGE:

RE: USSN 09/756,690, filed 09-January-2001
Appeal No. 2009-002545

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APPEAL NO. 2009-002545
Re U.S. Serial No. 09/756,690
Attorney Docket No. 249/124US-UTL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Inventor(s): KOLTERMAN, Orville G., *et al.*
Appln. No.: 09/756,690
Filed: 09-January-2009
For: *Use of Exendins and Agonists thereof for
Modulation of Triglyceride Levels and
Treatment of Dyslipidemia*

Art Unit: 1646
Examiner: D.Jiang
Atty. Docket: 249/124US-UTL
Confirm. No.: 4666

**REVOCATION OF POWER OF ATTORNEY AND
NEW POWER OF ATTORNEY**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Amylin Pharmaceuticals, Inc., owner of the entire right, title and interest in the above-identified application hereby revokes all previous powers of attorney in connection with the above-identified application.

Amylin Pharmaceuticals, Inc., owner of the entire right, title and interest in the above-identified application, hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

practitioners associated with Customer No. 44638

and also the following Practitioner: David R. Marsh – Reg. No. 41,408

Send Correspondence to: **AMYLIN PHARMACEUTICALS, INC.**
INTELLECTUAL PROPERTY DEPARTMENT
9360 Towne Centre Drive
San Diego, CA 92121
Fax: (858) 552-1936

Direct Telephone Calls to: (858) 552-2200

to transact all business in the U.S. Patent and Trademark Office connected therewith.

AMYLIN PHARMACEUTICALS, INC..

Dated: August 17, 2009

Amylin Pharmaceuticals, Inc.
Intellectual Property Group
9360 Towne Centre Drive
San Diego, CA 92121
Telephone: (858) 552-2200
Fax: (858) 552-1936

By:

Edward D. Grieff – Director, Patents
Registration No. 38,898

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: AMYLIN PHARMACEUTICALS, INC.Application No./Patent No.: 09/756,690Filed/Issue Date: 09-JANUARY-2001

Titled:

AMYLIN PHARMACEUTICALS, INC., a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)
- the patent application/patent identified above, by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011822, Frame 0251, or for which a copy therefore is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

17-August-2009

Date

Lloyd A. Rowland - Vice President and Corporate Secretary

Printed or Typed Name

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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FACSIMILE TRANSMITTAL

TO: USPTO – Board of Patent
Appeals and Interferences

FAX: (571) 273-0299

FROM: Renee Zavala
Amylin Pharmaceuticals, Inc.
9360 Towne Centre Drive
San Diego, CA 92121

FAX: (858) 552-1936
TEL: (858) 309-7497

DATE: 17-August-2009

TOTAL NUMBER OF PAGES 4
(including this cover sheet)

MESSAGE:

RE: USSN 09/756,690, filed 09-January-2001
Appeal No. 2009-002545

In connection with USSN 09/756,690, and Appeal No. 2009-002545 related thereto, attached please find the following documents:

1. Certificate of Filing (1 page)
2. Revocation of Power of Attorney and New Power of Attorney (1 page)
3. Statement Under 37 C.F.R. 3.73(b) (1 page)

This communication and any attached documents are for the intended recipient(s) only, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any unauthorized use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (858-552-2200) or e-mail reply, delete it from your system, and destroy any hard copy you may have printed. Thank you.

APPEAL NO. 2009-002545
Re U.S. Serial No. 09/756,690
Attorney Docket No. 249/124US-UTL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Inventor(s): KOLTERMAN, Orville G., *et al.*

Appln. No.: 09/756,690

Filed: 09-January-2009

For: *Use of Exendins and Agonists thereof for
Modulation of Triglyceride Levels and
Treatment of Dyslipidemia*

Art Unit: 1646

Examiner: D.Jiang

Atty. Docket: 249/124US-UTL

Confirm. No.: 4666

United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

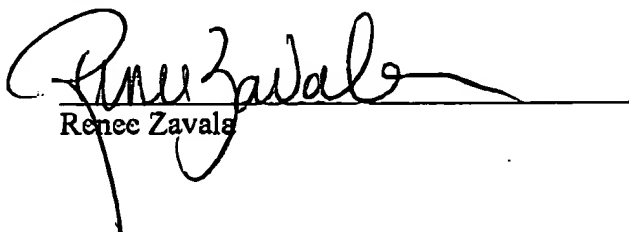
CERTIFICATE OF TRANSMITTAL UNDER 37 C.F.R. 1.8

The following documents are being submitted to the United States Patent and Trademark
via EFS-Web on August 17, 2009

<u>Documents(s)</u>	<u>No. of Pages</u>
Revocation of Power of Attorney and New Power of Attorney	1
Statement Under 37 C.F.R. 3.73(b)	1
<i>Certificate of Transmittal Under 37 C.F.R. 1.8</i>	1
Total Pages	3

No fee is believed due with this submission. However, if a fee is due, the Commissioner is hereby authorized to charge payment of any fees associated with this communication, to Applicant's Deposit Account No. 010535. Additionally, the Commissioner is hereby authorized to charge payment or credit overpayment of any fees during the pendency of this application to Applicant's Deposit Account No. 010535.

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being electronically filed via EFS-Web at the United States Patent and Trademark Office on August 17, 2009.


Renee Zavala